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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/633,976	08/04/2003	Osamu Suzuki	2271/70770	5636
7590 Ivan S. Kavrukov, Esq. Cooper & Dunham LLP 1185 Avenue of the Americas New York, NY 10036		02/05/2008	EXAMINER DICKERSON, CHAD S	
			ART UNIT 2625	PAPER NUMBER
			MAIL DATE 02/05/2008	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Advisory Action  
Before the Filing of an Appeal Brief**

Application No.

10/633,976

Applicant(s)

SUZUKI, OSAMU

Examiner

Chad Dickerson

Art Unit

2625

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 11 January 2008 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☐ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.  
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**NOTICE OF APPEAL**

2. ☐ The Notice of Appeal was filed on \_\_\_\_\_. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

**AMENDMENTS**

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because  
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);  
(b) ☐ They raise the issue of new matter (see NOTE below);  
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).  
5. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.  
6. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  
The status of the claim(s) is (or will be) as follows:  
Claim(s) allowed: \_\_\_\_\_.  
Claim(s) objected to: \_\_\_\_\_.  
Claim(s) rejected: 14-26.  
Claim(s) withdrawn from consideration: 1-13.

**AFFIDAVIT OR OTHER EVIDENCE**

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).  
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).  
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

**REQUEST FOR RECONSIDERATION/OTHER**

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: see attachment.  
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). \_\_\_\_\_.  
13. ☐ Other: \_\_\_\_\_.

  
AUNG S. MOE  
SUPERVISORY PATENT EXAMINER

2/1/08

## DETAILED ACTION

### *Response to Arguments*

1. Applicant's arguments filed 1/11/2008 have been fully considered but they are not persuasive.

In the recently filed After-Final Amendment on 1/11/2008, the Applicant asserts that the applied references of Tomida and Watanabe do not disclose the features of independent claims 14, 19 and 22. The Examiner respectfully disagrees with this assertion.

In the system of Tomida, a specific user code is considered to be a one-touch key since the on-touch keys are coded by the user with information used by the facsimile device. With this interpretation, the reference of Tomida clearly teaches a specific user code that is used to register titles and addresses of receiving parties (shown in col. 4, line 1 - col. 6, line 10). However, the Examiner states in the final office action that Tomida fails to disclose *a specific user code, specific to a current operator and differentiating the current operator from other operators in the network facsimile apparatus*, which is the feature the Applicant has asserted is not found in the Tomida reference. This claim feature is met with the combined reference of Watanabe which includes a ID and password for a specific user in order to make sure that the user entering the information is not only authorized to perform the function on the equipment, but to also discriminate that user from other users (see fig. 4A; paragraphs [0076]-[0088]). This combination meets the claim feature listed in arguments as not met.

Next, the applicant asserts that the features of *"registering for each of a plurality of registered user codes, one or more corresponding subject names associated with the registered user code"* and/or *"determining whether a mail address is registered for the specific user code of the current operator"*. The Examiner respectfully disagrees with this assertion.

In the system of Tomida, a title is considered analogous to a subject name. It is clearly stated in the action that with the one-touch keys considered as user codes and each one-touch key can be used to register titles, the above feature can be performed (see figs. 3-6; col. 4, line 1 – col. 6, line 10). The same explanation above for titles also applies to the mail addresses for facsimiles that on the system that has sent a facsimile to the main facsimile of interest. A mail address pertaining to other facsimile devices that are considered as receiving parties can be registered to one touch keys as stated in column 4, lines 11-15. However, the Tomida reference does not disclose the feature of *"the specific user code of the current operator"*. Again, as mentioned above in the previous paragraph, the Watanabe reference cures this deficiency. While addressing this issue, the Examiner notes that an error occurred in writing the rejection. The Examiner realizes the error on page 17, line 4 where the phrase *"of the current operator"* was inadvertently written in that section. The Examiner would like to note the error and put on record that the phrase should not be placed there. With the omission of that phrase, the rejection of the claim with Tomida in view of Watanabe still applies. Therefore, the above mentioned features are performed with the reference of Tomida and Watanabe.

The Applicant asserts that the reference of Tomida does not disclose the feature of *"automatically specifying one of the subject names registered for the specific user code of the current operator, as the transmission subject name of the mail data to be transmitted"* and/or *"automatically specifying another subject name, based on the mail address registered for the specific user code, as the transmission subject name of the mail data to be transmitted, if it is determined that the specific user code of the current operator has been specified and that the mail address is registered for the specific user code"*. The Examiner respectfully disagrees with this assertion.

The claim feature of *"automatically specifying one of the subject names registered for the specific user code of the current operator, as the transmission subject name of the mail data to be transmitted"* is met when the user activates or specifies a one-touch key. The one-touch key automatically assigns the title registered on the one-touch key in the system (see figs. 3-7; col. 4, line 1 – col. 7, line 34). However, like stated above, the Tomida reference fails to disclose the feature *"specific user code of the current operator"*. The combination of the Watanabe reference cures this deficiency with the explanation mentioned above.

In regards to the second feature of *"automatically specifying another subject name, based on the mail address registered for the specific user code, as the transmission subject name of the mail data to be transmitted, if it is determined that the specific user code of the current operator has been specified and that the mail address is registered for the specific user code"*, the Examiner believes this is disclosed as well in a couple of examples. First, this is taught by using the default method. The default

title can be considered as another subject name that is used when the user forgets to input a title into the system for the email, but the user has specified the address to email the document (see col. 8, line 58 – col. 9, line 35). This performs the feature of specifying a title, but only specifying a title after an email address has been specified by the one-touch key and using this title in the email transmission, once the one-touch key of the address has been specified with the address registered on the key of interest (see fig. 8). The system can input the default title into the document to be emailed.

Another example is when a user specifies a receiving party by the one-touch method and places a document in the scanner. The scanner then extracts information from the document and uses that information as a title. Based on the mailing address registered on the one-touch key being activated, the system prompts the user to have a document scanned and the information that is scanned is used as a title for the document sent in email. The title used in the document is based on the instruction to send a facsimile using the internet and the mailing address registered for the one-touch key that will receive the email (see fig. 9; col. 8, lines 25-57). This is another example of a title being specified after the mailing address registered in the one-touch key is specified, or activated, and the system using this extracted information as title information to be transmitted to another party in the system. This function only occurs when the system realizes that the one-touch key pressed is determined to have registered address information stored therein.

Lastly, with the user able to enter in the title in the system, the user is capable of typing in the receiver's name, email address or any other name designating the receiver

information as the title. This can be used in the manual input process. This is shown in column 8, line 58 through column 9, line 32 (also see col. 6, line 51 – col. 7, line 35). This can perform the feature of having another title being specified and this title, which can be the same name as the mail address that is registered to the one-touch key, can be used as the title transmitted to the receiving party.

However, like mentioned above, Tomida fails to disclose the feature of a specific user code, specific to a current operator. With the combination of Watanabe in the rejection, the deficiency of Tomida is cured with the above explanation. With the above examples of the last claim features, the Examiner asserts that the claim feature is met.

Therefore, in light of the above arguments, the rejection of the claims is maintained.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chad Dickerson whose telephone number is (571)-270-1351. The examiner can normally be reached on Mon. thru Thur. 9:00-6:30 Fri. 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Aung Moe can be reached on (571)-272-7314. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2625

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CD/ *CD*  
Chad Dickerson  
February 1, 2008

*[Signature]*  
A. J. MOE  
SUPERVISORY PATENT EXAMINER  
*2/1/08*